

REMARKS

This Amendment is submitted supplementary to the previous Amendment and in connection with the personal conference with the Examiner.

The Examiner's highly beneficial cooperation during the personal conference has been gratefully acknowledged.

In connection with the Examiner's arguments related to the Baggermans patent, applicants cancelled Claims 1 and 2 and submitted new independent Claims 10-13.

Claim 10 combines the features of original Claims 7 and 2. Claim 11 combines the features of original Claims 7 and 8. Claim 12 substantially corresponds to original Claim 7 and defines that the magnetic pole has improved heat exchange. Claim 13 defines more specifically the new features of the present invention as well.

Turning now to the new claims submitted with the present Amendment, it is respectfully submitted that Claim 10 which combines the features of Claims 7 and 2 defines a magnetic pole which is new when compared with the prior art.

The Examiner argued in the Office Action of April 3, 2009 that Baggermans inherently discloses a connecting means which is not denied, and that the specific opposite sense of the conductor strips would have been an obvious design consideration for the purpose of manufacturing. It is respectfully submitted that such a design consideration could not be obvious at the priority date of the present application.

As can be seen from the state of the art mentioned in the first Office Action as well as in the IDS, nothing similar has been disclosed up to now. It is, therefore, deemed that an expert in the art could not easily find the design of the magnetic pole as claimed in Claim 10. Reference is made in this respect to page 4, second paragraph of the specification. It is described there that the claimed design, i.e. the opposite direction of winding in combination with the electrical connection of the two inner layers 1, 151 (i.e. "at the core" as claimed) is not made for an easier manufacture (in fact it is obviously more complicated to provide a core with an opposite direction of winding instead of with a same direction of winding). The important improvement is the fact that because of the opposite direction of winding and the inner connection of the windings it is possible to provide both radial outer layers 150 and 300 with an electrical connection 319, 320 each. Thus, the current between the + connection and the – connection will flow in such a direction through the

two discs that the magnetic fields generated thereby have the same directions. Otherwise the electrical design must be chosen as described in the paragraph bridging pages 3 and 4 of the specification.

It is, therefore, to point out that none of the references can provide any hint or suggestion for such an electrical arrangement.

Claim 11 which combines the features of Claims 7 and 8 also defines the magnetic pole which is new over the prior art.

Reference is made to page 3, second paragraph of the specification. It is disclosed there that it is not only advantageous to have the same magnetic flux with the same current but also to have the same cross-sectional areas being responsible for dissipation. In a given magnet levitation vehicle the magnet poles (e.g. of the carrying magnets) have not only a given magnetic force but also a given space requirement. New Claim 11, therefore, guarantees that the new magnetic poles have largely improved heat discharge but also the same space requirements and magnetic forces.

It is, therefore, further to point out that none of the references even gives a hint or suggestion with respect to the design according to new Claim 11.

New Claim 12 substantially corresponds to Claim 7 on file but has the additional feature of the improved heat discharge. It is to note in this respect that the object underlying the present invention can not be compared with the television line transformer according to Baggermans. Further, Claim 12 is directed to a magnetic pole for a magnetic levitation vehicle, whereas Baggermans describes a transformer inherently including a closed core means 10 being comprised of two yokes 4 and 4' spaced and arranged in parallel and two connecting pieces whereas a magnetic pole for a magnetic levitation vehicle inherently includes a core open at both ends thereof as e.g. shown in Fig. 1 of the present application and the known art cited therein.

Because of the above it is deemed that the magnetic pole according to Claim 12 is inventive over the Baggermans patent even if also the known device has two discs which serve for completely another purpose.

Claim 13 defines that a core provided with a similar pair of discs as in the Baggermans patent is used according to the present invention for the purpose of providing a magnetic pole having a better heat discharge instead of for a line transformer according to Baggermans.

It is therefore respectfully submitted that Claims 10-13 should be considered as patentably distinguishing over the art and should be allowed, together with the dependent claims which depend on Claim 10 and share its allowable features.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



Michael J. Striker
Attorney for Applicant
Reg. No. 27233